

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

MICHAEL KEVIN DUPONT, X
PETITIONER X

X NO. 04-11431-GAO


V. X
DAVID NOLAN, X
Respondent X

X * * * X * X * X * X

PETITIONER'S MOTION FOR DEFAULT JUDGMENT
AND REMEDY OF IMMEDIATE RELEASE OR BAIL

Now comes the Petitioner, AND,
PURSUANT TO Fed. Civ. P. Rule 55 (b),
moves this court to AWARD him
JUDGMENT based on Respondent's
default of not filing 20 DAY
ANSWER AS REQUIRED by this court's
JUNE 24, 2004 ORDER, AND not filing
AN ANSWER within August 11, 2004
extension time requested while
using A FRIVOLOUS VACATION excuse
which does NOT support further continuance.

28 USC § 2241 IMMEDIATE RELEASE &
Remedy in the interests of Justice, OR
BAIL is now MOST respectfully requested.
August 13, 2004
copy served on
ASS. ATTY General
SUSAN REARDON


Michael Kevin Dupont LAOSE
P.O. Box 100
Sewall's Point, MA 02071

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL KEVIN DUPONT,

Petitioner,

CIVIL ACTION

v.

NO. 04-11431-GAO

DAVID NOLAN

Respondent.

ORDER

Pursuant to Rule 4 of the Rules Governing Section 2254 Cases, the Clerk of this Court shall serve a copy of the Petition for a Writ of Habeas Corpus by mailing copies of the same, certified mail, to (i) David Nolan, Superintendent, MCI Cedar Junction, P.O. Box 100, Walpole, Massachusetts 02071 and (ii) Cathryn Neaves, Chief, Appellate Division, Attorney General for the Commonwealth of Massachusetts, One Ashburton Place, 18th Floor, Boston, MA 02108-1598.

It is further ordered that Respondent shall, within 20 days of receipt of this Order, file an answer (or other proper responsive pleading) to the Petition for Writ of Habeas Corpus.

This Court further requests Respondent, as part of the return, to file such documents which reflect on whether Petitioner has exhausted his available state remedies with respect to the matters raised by the Petition.

6/24/2004

DATE

s/ George A. O'Toole, Jr.

UNITED STATES DISTRICT JUDGE